

PTO/SB/62 (09-03)  
Approved for use through 11/30/2005. OMB 0651-0035  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**ATTORNEY & TRADMARKS  
REVOCATION OF POWER OF  
ATTORNEY WITH  
NEW POWER OF ATTORNEY  
AND  
CHANGE OF CORRESPONDENCE  
ADDRESS**

Application Number	10/012,207
Filing Date	11/05/2001
First Named Inventor	GOEL
Art Unit	2661
Examiner Name	UNKNOWN
Attorney Docket Number	AVAN/001004

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application:

A Power of Attorney is submitted herewith.

OR

I hereby appoint the practitioners at Customer Number :

47389

Please change the correspondence address for the above-identified application to:

The address associated with  
Customer Number:

47389

OR

Firm or  
Individual Name

Address

Address

City

Country

State

ZIP

Telephone

Fax

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.  
*Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)*

**SIGNATURE of Applicant or Assignee of Record**

Name	Briar Kinard, General Counsel & Vice President, Legal Affairs		
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Signature			
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Date	11/2/04	Telephone	(510) 897-4188
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NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below.

\*Total of \_\_\_\_\_ forms are submitted.

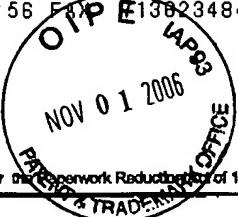
This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

AVAN 001004 Revocation of Power of Attorney SB-82

PAGE 4/11 \*RCVD AT 11/1/2006 4:55:25 PM [Eastern Standard Time]\* SVR:USPTO-EFXRF-5/20 \*DNIS:2732885 \*CSID:7136234846 \*DURATION (mm:ss):01:50

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PTO/SB/96 (06-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: VIBHA GOEL Attorney Docket No.: AVAN/001004Application No./Patent No.: 10/012,207 Filed/Issue Date: 11/05/2001Entitled: OPTICAL ROUTERS AND REDUNDANCY

Avanex Corporation, a Delaware Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title, and interest

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the Inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel       , Frame       , or for which a copy thereof is attached.

**OR**

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Vibha Goel To: Vitesse Semiconductor CorporationThe document was recorded in the United States Patent and Trademark Office at  
Reel 012720, Frame 0816, or for which a copy thereof is attached.2. From: Vitesse Semiconductor Corporation To: Avanex CorporationThe document was recorded in the United States Patent and Trademark Office at  
Reel       , Frame       , or  for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel       , Frame       , or for which a copy thereof is attached. Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08.]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Brian Kinard

Date

(510) 897-4188

Telephone Number

Printed or Typed Name

General Counsel &  
Vice President, Legal Affairs

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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## PATENT ASSIGNMENT

This Patent Assignment ("Assignment") is made as of August 28, 2003 by Vitesse Semiconductor Corporation, a Delaware corporation having a place of business at 741 Calle Piano Camarillo, California 93012, United States of America ("Assignor"), to Avanex Corporation, a Delaware corporation having a place of business at 40919 Encyclopedia Circle, Fremont, California 94538, United States of America ("Assignee").

### RECITALS

A. Assignor and Assignee have entered into an Asset Purchase Agreement dated as of August 21, 2003 (the "Purchase Agreement").

B. Assignor owns the patent(s) issued by the United States Patent and Trademark Office and certain foreign patent and trademark offices, as well as patent applications filed with the United States Patent and Trademark Office and certain foreign patent and trademark offices, as set forth on Exhibit A hereto (the "Patents").

C. Pursuant to the Purchase Agreement, Assignor desires to assign to Assignee all of Assignor's right, title and interest in and to the Patents.

### AGREEMENT

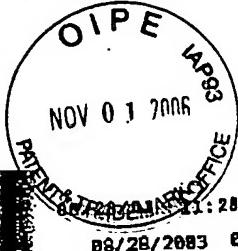
NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants and agreements contained in the Purchase Agreement and the covenants and agreements in this Assignment and to induce Assignee to consummate the transactions contemplated by the Purchase Agreement, Assignor agrees as follows:

I. Assignor does hereby irrevocably sell, transfer, convey, assign and deliver to Assignee all of Assignor's right, title and interest in and to the Patents (and regarding Patents that are patent applications, any patents that may issue therefrom), including any foreign counterparts, divisionals, continuations in whole or in part, reexaminations, reissues or extensions thereof, and the right to claim priority to any of the preceding, the same to be held by Assignee for Assignee's own use and enjoyment, and for the use and enjoyment of Assignee's successors, assigns and other legal representatives, as fully and entirely as the same would have been held and enjoyed by Assignor if this Assignment and sale had not been made; together with all claims for damages by reason of past infringements of the Patents, along with the right to sue for and collect such damages for the use and benefit of Assignee and its successors, assigns and other legal representatives.

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2. Assignor hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States, and any officer of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of intellectual property protection or applications as aforesaid, to issue the same to Assignee and its successors, assigns and other legal representatives in accordance with the terms of this instrument.

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09/28/2003 08:39 8053097565

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VITESSE

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PAGE 08

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IN WITNESS WHEREOF, Assignor has executed this Assignment on the date first above written.

Vitesse Semiconductor Corporation

By: Louis R. Tornareta  
Name: Louis R. Tornareta  
Title: Pres / CEO

Acknowledgment by Notary Public

Country of USA

State of California

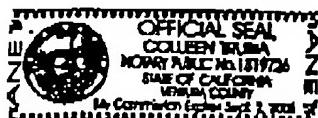
County / City of Ventura/Camarillo

On this 28 day of August, 2003 before me, the undersigned Notary Public, personally appeared Louis R. Tornareta, (personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he or she executed the same.

Seal:

Signature: Colleen Trubia

Name: Colleen Trubia, Notary Public



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EXHIBIT A

VITESI SEMICONDUCTOR CORPORATION  
OPTICAL SYSTEMS DIVISION  
(FORMERLY VERSATILE OPTICAL NETWORKS, INC.)  
CLIENT NO: 11971  
CONFIDENTIAL



**COPY**

PR MATTER	APPLICANT	TITLE	STATUS	FILING DATE SERIAL NO.	REMARKS
(01290)	VIRNA GOEL, Anand Goel	OFFICIAL ROUTERS AND REDUNDANCY	UTILITY PATENT PENDING	APPL. SERIAL #10/012,207 FILED 11/01/01	CONVERSION OF 012901 AND 012902. J/T/2003 REQUEST TO CORRECT FILING RECEIPT

(01290)	VIRNA GOEL, Anand Goel	OFFICIAL ROUTERS AND REDUNDANCY	UTILITY PATENT PENDING	APPL. SERIAL #10/012,207 FILED 11/01/01	CONVERSION OF 012901 AND 012902. J/T/2003 REQUEST TO CORRECT FILING RECEIPT
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